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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT DAVID KAHRE,
DANNIELLE R. ALIRES,
JOEL R. AXBERG,
MYRA L. BUONOMO,
ENRIQUE CEBALLOS,
ROBERT J. FURMAN,
JAMES M. GULLEY,
DONALD J. HAMILTON,
DONALD W. HAMILTON,
JOHN W. KAHRE,
LORI A. KAHRE,
ALEXANDER C. LOGLIA,
JOSE L. G. MATEOS,
MISTY D. MORGAN,
RICHARD J. POSER, SR.,
HEIDI J. RASMUSSEN,
GEORGE RODRIGUEZ,
DEBRA A. ROSENBAUM,
STEVEN T. ROSENBAUM,
RON RUGGLES,
THERESA H. WHITNEY,
WILLIAM A. WHITNEY,

Defendants.

CRIMINAL INDICTMENT

CR-S-05- 121 KJD(RJJ)

Violations:

18 U.S.C. § 371 - Conspiracy to Attempt to
Evade or Defeat Tax

26 U.S.C. § 7201 - Attempt to Evade or Defeat
Tax

26 U.S.C. § 7202 - Wilful Failure to Collect or
Pay Over Tax

1 **THE GRAND JURY CHARGES THAT:**

2 **COUNT ONE**

3 Willful Failure to Collect or Pay Over Tax

4 On or about April 30, 1999, in the State and Federal District of Nevada.

5 **ROBERT DAVID KAHRE.**

6 the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship
7 under the name and style of Production Air Conditioning, with its principal place of business in Las Vegas,
8 Nevada, and who, during the first quarter of the year 1999, ending March 31, 1999, willfully failed to collect
9 and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal
10 Insurance Contributions Act taxes in the approximate sum of \$42,320.94, (FICA \$15,307.57 + FWT
11 \$27,013.37) due and owing to the United States of America, from the total taxable wages of approximately
12 \$100,049.50 for his employees for the said quarter ending March 31, 1999, all in violation of Title 26,
13 United States Code, Section 7202.

14 **COUNT TWO**

15 Willful Failure to Collect or Pay Over Tax

16 On or about April 30, 1999, in the State and Federal District of Nevada.

17 **ROBERT DAVID KAHRE.**

18 the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship
19 under the name and style of Production Plumbing, with its principal place of business in Las Vegas, Nevada,
20 and who, during the first quarter of the year 1999, ending March 31, 1999, willfully failed to collect and
21 truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal
22 Insurance Contributions Act taxes in the approximate sum of \$17,973.27, (FICA \$6,500.97 + FWT
23 \$11,472.30) due and owing to the United States of America, from the total taxable wages of approximately
24 \$42,490.00 for his employees for the said quarter ending March 31, 1999, all in violation of Title 26, United
25 States Code, Section 7202.

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COUNT THREE

Willful Failure to Collect or Pay Over Tax

On or about April 30, 1999, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Sherman Tile and Marble, with its principal place of business in Las Vegas, Nevada, and who, during the first quarter of the year 1999, ending March 31, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$32,269.16, (FICA \$11,671.82 + FWT \$20,597.33) due and owing to the United States of America, from the total taxable wages of approximately \$76,286.42 for his employees for the said quarter ending March 31, 1999, all in violation of Title 26, United States Code, Section 7202.

COUNT FOUR

Willful Failure to Collect or Pay Over Tax

On or about April 30, 1999, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Wright Painting and Drywall - Texas, with a place of business in Las Vegas, Nevada, and who, during the first quarter of the year 1999, ending March 31, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$5,655.09, (FICA \$2,045.46 + FWT \$3,609.63) due and owing to the United States of America, from the total taxable wages of approximately \$13,369.00 for his employees for the said quarter ending March 31, 1999, all in violation of Title 26, United States Code, Section 7202.

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COUNT FIVE

Willful Failure to Collect or Pay Over Tax

On or about April 30, 1999, in the State and Federal District of Nevada.

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Wright Painting and Drywall, with its principal place of business in Las Vegas, Nevada, and who, during the first quarter of the year 1999, ending March 31, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$116,302.16, (FICA \$42,066.74 + FWT \$74,235.42) due and owing to the United States of America, from the total taxable wages of approximately \$274,946.00 for his employees for the said quarter ending March 31, 1999, all in violation of Title 26, United States Code, Section 7202.

COUNT SIX

Willful Failure to Collect or Pay Over Tax

On or about July 31, 1999, in the State and Federal District of Nevada.

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Production Air Conditioning, with its principal place of business in Las Vegas, Nevada, and who, during the second quarter of the year 1999, ending June 30, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$52,296.98, (FICA \$18,915.93 + FWT \$33,381.05) due and owing to the United States of America, from the total taxable wages of approximately \$123,633.50 for his employees for the said quarter ending June 30, 1999, all in violation of Title 26, United States Code, Section 7202.

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COUNT SEVEN

Willful Failure to Collect or Pay Over Tax

On or about July 31, 1999, 1999, in the State and Federal District of Nevada.

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Production Plumbing, with its principal place of business in Las Vegas, Nevada, and who, during the second quarter of the year 1999, ending June 30, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$16,736.84, (FICA \$6,053.75 + FWT \$10,683.09) due and owing to the United States of America, from the total taxable wages of approximately \$39,567.00 for his employees for the said quarter ending June 30, 1999, all in violation of Title 26, United States Code, Section 7202.

COUNT EIGHT

Willful Failure to Collect or Pay Over Tax

On or about July 31, 1999, 1999, in the state and federal District of Nevada.

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Sherman Tile and Marble, with its principal place of business in Las Vegas, Nevada, and who, during the second quarter of the year 1999, ending June 30, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$61,677.63, (FICA \$22,308.93 + FWT \$39,368.70) due and owing to the United States of America, from the total taxable wages of approximately \$145,810.00 for his employees for the said quarter ending June 30, 1999, all in violation of Title 26, United States Code, Section 7202.

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COUNT NINE
Willful Failure to Collect or Pay over Tax

On or about July 31, 1999, 1999, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Wright Painting and Drywall - Texas, with a place of business in Las Vegas, Nevada, and who, during the second quarter of the year 1999, ending June 30, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$4,535.83, (FICA \$1,640.62 + FWT \$2,895.21) due and owing to the United States of America, from the total taxable wages of approximately \$10,723.00 for his employees for the said quarter ending June 30, 1999, all in violation of Title 26, United States Code, Section 7202.

COUNT TEN
Willful Failure to Collect or Pay Over Tax

On or about July 31, 1999, 1999, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Wright Painting and Drywall, with its principal place of business in Las Vegas, Nevada, and who, during the second quarter of the year 1999, ending June 30, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$110,289.21, (FICA \$39,891.84 + FWT \$70,397.37) due and owing to the United States of America, from the total taxable wages of approximately \$260,731.00 for his employees for the said quarter ending June 30, 1999, all in violation of Title 26, United States Code, Section 7202.

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COUNT ELEVEN
Willful Failure to Collect or Pay Over Tax

On or about October 31, 1999, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Production Air Conditioning, with its principal place of business in Las Vegas, Nevada, and who, during the third quarter of the year 1999, ending September 30, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$51,680.76, (FICA \$18,693.04 + FWT \$32,987.72) due and owing to the United States of America, from the total taxable wages of approximately \$122,176.75 for his employees for the said quarter ending September 30, 1999, all in violation of Title 26, United States Code, Section 7202.

COUNT TWELVE
Willful Failure to Collect or Pay Over Tax

On or about October 31, 1999, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Production Plumbing, with its principal place of business in Las Vegas, Nevada, and who, during the third quarter of the year 1999, ending September 30, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$19,879.31, (FICA \$7,190.39 + FWT \$12,688.92) due and owing to the United States of America, from the total taxable wages of approximately \$46,996.00 for his employees for the said quarter ending September 30, 1999, all in violation of Title 26, United States Code, Section 7202.

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COUNT THIRTEEN
Willful Failure to Collect or Pay Over Tax

On or about October 31, 1999, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Sherman Tile and Marble, with its principal place of business in Las Vegas, Nevada, and who, during the third quarter of the year 1999, ending September 30, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$59,496.64, (FICA \$21,520.06 + FWT \$37,976.58) due and owing to the United States of America, from the total taxable wages of approximately \$140,654.00 for his employees for the said quarter ending September 30, 1999, all in violation of Title 26, United States Code, Section 7202.

COUNT FOURTEEN
Willful Failure to Collect or Pay Over Tax

On or about October 31, 1999, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Wright Painting and Drywall - Texas, with a place of business in Las Vegas, Nevada, and who, during the third quarter of the year 1999, ending September 30, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$28,009.37, (FICA \$10,131.05 + FWT \$17,878.32) due and owing to the United States of America, from the total taxable wages of approximately \$66,216.00 for his employees for the said quarter ending September 30, 1999, all in violation of Title 26, United States Code, Section 7202.

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COUNT FIFTEEN
Willful Failure to Collect or Pay Over Tax

On or about October 31, 1999, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Wright Painting and Drywall, with its principal place of business in Las Vegas, Nevada, and who, during the third quarter of the year 1999, ending September 30, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$114,445.19, (FICA \$41,395.07 + FWT \$73,050.12) due and owing to the United States of America, from the total taxable wages of approximately \$270,556.00 for his employees for the said quarter ending September 30, 1999, all in violation of Title 26, United States Code, Section 7202.

COUNT SIXTEEN
Willful Failure to Collect or Pay Over Tax

On or about January 31, 2000, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Production Air Conditioning, with its principal place of business in Las Vegas, Nevada, and who, during the fourth quarter of the year 1999, ending December 31, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$65,458.83, (FICA \$23,676.60 + FWT \$41,782.23) due and owing to the United States of America, from the total taxable wages of approximately \$154,749.00 for his employees for the said quarter ending December 31, 1999, all in violation of Title 26, United States Code, Section 7202.

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COUNT SEVENTEEN
Willful Failure to Collect or Pay Over Tax

On or about January 31, 2000, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Production Plumbing, with its principal place of business in Las Vegas, Nevada, and who, during the fourth quarter of the year 1999, ending December 31, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$30,657.35, (FICA \$11,088.83 + FWT \$19,568.52) due and owing to the United States of America, from the total taxable wages of approximately \$72,476.00 for his employees for the said quarter ending December 31, 1999, all in violation of Title 26, United States Code, Section 7202.

COUNT EIGHTEEN
Willful Failure to Collect or Pay Over Tax

On or about January 31, 2000, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Sherman Tile and Marble, with its principal place of business in Las Vegas, Nevada, and who, during the fourth quarter of the year 1999, ending December 31, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$37,638.12, (FICA \$13,613.79 + FWT \$24,024.33) due and owing to the United States of America, from the total taxable wages of approximately \$88,979.00 for his employees for the said quarter ending December 31, 1999, all in violation of Title 26, United States Code, Section 7202.

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COUNT NINETEEN
Willful Failure to Collect or Pay Over Tax

On or about January 31, 2000, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Wright Painting and Drywall - Texas, with a place of business in Las Vegas, Nevada, and who, during the fourth quarter of the year 1999, ending December 31, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$23,422.36, (FICA \$8,471.92 + FWT \$14,950.44) due and owing to the United States of America, from the total taxable wages of approximately \$55,372.00 for his employees for the said quarter ending December 31, 1999, all in violation of Title 26, United States Code, Section 7202.

COUNT TWENTY
Willful Failure to Collect or Pay Over Tax

On or about January 31, 2000, in the State and Federal District of Nevada,

ROBERT DAVID KAHRE,

the defendant herein, a resident of Las Vegas, Nevada, who conducted a business as a sole proprietorship under the name and style of Wright Painting and Drywall, with its principal place of business in Las Vegas, Nevada, and who, during the fourth quarter of the year 1999, ending December 31, 1999, willfully failed to collect and truthfully account for and pay over to the Internal Revenue Service, federal income taxes and Federal Insurance Contributions Act taxes in the approximate sum of \$184,737.64, (FICA \$66,820.00 + FWT \$117,917.64) due and owing to the United States of America, from the total taxable wages of approximately \$436,732.00 for his employees for the said quarter ending December 31, 1999, all in violation of Title 26, United States Code, Section 7202.

1 **COUNT TWENTY-ONE**
2 Attempt to Evade or Defeat Tax

3 During the calendar year 2002, in the State and Federal District of Nevada,

4 **DANNIELLE R. ALIRES,**

5 the defendant herein, a resident of Las Vegas, Nevada, had and received taxable wages in the sum of
6 \$27,300; that upon said taxable income of \$19,600, there was owing to the United States of America an
7 income tax of \$2,664; that well knowing and believing the foregoing facts, **DANNIELLE R. ALIRES**, on
8 or about April 15, 2003, in the District of Nevada, did willfully attempt to evade and defeat the said income
9 tax due and owing by her to the United States of America for said calendar year by failing to make an income
10 tax return on or before April 15, 2003, as required by law to any proper officer of the Internal Revenue
11 Service, by failing to pay to the Internal Revenue Service said income tax, and by concealing and attempting
12 to conceal from all proper officers of the United States of America her true and correct income and by
13 conducting employment payroll transactions in gold, silver and/or cash, all in violation of Title 26, United
14 States Code, Section 7201.

15 **COUNT TWENTY-TWO**
16 Attempt to Evade or Defeat Tax

17 On or about April 15, 1999, in the State and Federal District of Nevada,

18 **JOEL R. AXBERG,**

19 the defendant herein, a resident of Las Vegas, Nevada, did willfully attempt to evade and defeat a large part
20 of the income tax due and owing by him to the United States of America for the calendar year 1998, by filing
21 and causing to be filed with the Director, Internal Revenue Service Center, at Ogden, Utah, a false and
22 fraudulent U.S. Individual Income Tax Return, form 1040A, wherein he stated that his taxable income for
23 the calendar year 1998, was the sum of \$5,586.09, whereas, as he then and there well knew and believed,
24 his taxable income for the said calendar year was the sum of \$16,046.09, upon which said taxable income
25 there was owing to the United States of America an additional income tax of \$3,046, all in violation of Title
26 26, United States Code, Section 7201.

1 **COUNT TWENTY-THREE**
2 Attempt to Evade or Defeat Tax

3 During the calendar year 2001, in the State and Federal District of Nevada,

4 **MYRA L. BUONOMO,**

5 the defendant herein, a resident of Las Vegas, Nevada, had and received taxable wages in the sum of
6 \$23,400; that upon said taxable income of \$15,950, there was owing to the United States of America an
7 income tax of \$2,096; that well knowing and believing the foregoing facts, **MYRA L. BUONOMO**, on or
8 about April 15, 2002, in the District of Nevada, did willfully attempt to evade and defeat the said income tax
9 due and owing by her to the United States of America for said calendar year by failing to make an income
10 tax return on or before April 15, 2002, as required by law to any proper officer of the Internal Revenue
11 Service, by failing to pay to the Internal Revenue Service said income tax, and by concealing and attempting
12 to conceal from all proper officers of the United States of America her true and correct income and by
13 conducting employment payroll transactions in gold, silver and/or cash, all in violation of Title 26, United
14 States Code, Section 7201.

15 **COUNT TWENTY-FOUR**
16 Attempt to Evade or Defeat Tax

17 On or about April 15, 1999, in the State and Federal District of Nevada,

18 **ENRIQUE CEBALLOS,**

19 the defendant herein, a resident of Las Vegas, Nevada, who during the calendar year 1998 was married, did
20 willfully attempt to evade and defeat a large part of the income tax due and owing by him and his spouse to
21 the United States of America for the calendar year 1998, by filing and causing to be filed with the Director,
22 Internal Revenue Service Center, at Ogden, Utah, a false and fraudulent joint U.S. Individual Income Tax
23 Return, form 1040, on behalf of himself and his spouse, wherein he stated that their joint taxable income for
24 the calendar year 1998, was the sum of \$4,555, whereas, as he then and there well knew and believed, their
25 joint taxable income for the said calendar year was the sum of \$276,446, upon which said joint taxable
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1 income there was owing to the United States of America an additional income tax of \$84,606, all in violation
2 of Title 26, United States Code, Section 7201.

3 **COUNT TWENTY-FIVE**
4 **Attempt to Evade or Defeat Tax**

5 On or about April 15, 2001, in the State and Federal District of Nevada,

6 **ROBERT J. FURMAN,**

7 the defendant herein, a resident of Las Vegas, Nevada, who during the calendar year 2000 was married, did
8 willfully attempt to evade and defeat a large part of the income tax due and owing by him and his spouse to
9 the United States of America for the calendar year 2000, by filing and causing to be filed with the Director,
10 Internal Revenue Service Center, at Ogden, Utah, a false and fraudulent joint U.S. Individual Income Tax
11 Return, form 1040, on behalf of himself and his spouse, wherein he stated that their joint taxable income for
12 the calendar year 2000, was the sum of \$13,376, whereas, as he then and there well knew and believed, their
13 joint taxable income for the said calendar year was the sum of \$32,341, upon which said joint taxable income
14 there was owing to the United States of America an additional income tax of \$2,843, all in violation of Title
15 26, United States Code, Section 7201.

16 **COUNT TWENTY-SIX**
17 **Attempt to Evade or Defeat Tax**

18 During the calendar year 1999, in the State and Federal District of Nevada,

19 **JAMES M. GULLEY,**

20 the defendant herein, a resident of Las Vegas, Nevada, had and received taxable wages in the sum of
21 \$29,801; that upon said taxable income of \$23,451, there was owing to the United States of America an
22 income tax of \$3,533; that well knowing and believing the foregoing facts, **JAMES M. GULLEY**, on or
23 about April 15, 2000, in the District of Nevada, did willfully attempt to evade and defeat the said income tax
24 due and owing by him to the United States of America for said calendar year by failing to make an income
25 tax return on or before April 15, 2000, as required by law to any proper officer of the Internal Revenue
26 Service, by failing to pay to the Internal Revenue Service said income tax, and by concealing and attempting

1 to conceal from all proper officers of the United States of America his true and correct income and by
2 conducting employment payroll transactions in gold, silver and/or cash, all in violation of Title 26, United
3 States Code, Section 7201.

4 **COUNT TWENTY-SEVEN**
5 **Attempt to Evade or Defeat Tax**

6 During the calendar year 1998, in the State and Federal District of Nevada,

7 **DONALD J. HAMILTON,**

8 the defendant herein, a resident of Las Vegas, Nevada, had and received taxable wages in the sum of
9 \$22,385; that upon said taxable income of \$15,435, there was owing to the United States of America an
10 income tax of \$2,314; that well knowing and believing the foregoing facts, DONALD J. HAMILTON, on
11 or about April 15, 1999, in the District of Nevada, did willfully attempt to evade and defeat the said income
12 tax due and owing by him to the United States of America for said calendar year by failing to make an income
13 tax return on or before April 15, 1999, as required by law to any proper officer of the Internal Revenue
14 Service, by failing to pay to the Internal Revenue Service said income tax, and by concealing and attempting
15 to conceal from all proper officers of the United States of America his true and correct income and by
16 conducting employment payroll transactions in gold, silver and/or cash, all in violation of Title 26, United
17 States Code, Section 7201.

18 **COUNT TWENTY-EIGHT**
19 **Attempt to Evade or Defeat Tax**

20 On or about April 15, 2000, in the State and Federal District of Nevada,

21 **DONALD W. HAMILTON,**

22 the defendant herein, a resident of Las Vegas, Nevada, did willfully attempt to evade and defeat a large part
23 of the income tax due and owing by him to the United States of America for the calendar year 1999, by filing
24 and causing to be filed with the Director, Internal Revenue Service Center, at Ogden, Utah, a false and
25 fraudulent U.S. Individual Income Tax Return, form 1040PC, wherein he stated that his taxable income for
26 the calendar year 1999, was the sum of \$14,199, whereas, as he then and there well knew and believed, his

1 taxable income for the said calendar year was the sum of \$24,948, upon which said taxable income there was
2 owing to the United States of America an income tax of \$1,913, all in violation of Title 26, United States
3 Code, Section 7201.

4 **COUNT TWENTY-NINE**
5 **Attempt to Evade or Defeat Tax**

6 During the calendar year 2000, in the State and Federal District of Nevada,

7 **JOHN W. KAHRE,**

8 the defendant herein, a resident of Las Vegas, Nevada, had and received taxable wages in the sum of
9 \$31,145; that upon said taxable income of \$23,945, there was owing to the United States of America an
10 income tax of \$3,589; that well knowing and believing the foregoing facts, **JOHN W. KAHRE**, on or about
11 April 15, 2001, in the District of Nevada, did willfully attempt to evade and defeat the said income tax due
12 and owing by him to the United States of America for said calendar year by failing to make an income tax
13 return on or before April 15, 2001, as required by law to any proper officer of the Internal Revenue Service,
14 by failing to pay to the Internal Revenue Service said income tax, and by concealing and attempting to conceal
15 from all proper officers of the United States of America his true and correct income and by conducting
16 employment payroll transactions in gold, silver and/or cash, all in violation of Title 26, United States Code,
17 Section 7201.

18 **COUNT THIRTY**
19 **Attempt to Evade or Defeat Tax**

20 On or about April 15, 1999, in the State and Federal District of Nevada,

21 **LORI A. KAHRE (RASMUSSEN),**

22 the defendant herein, a resident of Las Vegas, Nevada, who during the calendar year 1998 was married, did
23 willfully attempt to evade and defeat a large part of the income tax due and owing by her and her spouse to
24 the United States of America for the calendar year 1998, by filing and causing to be filed with the Director,
25 Internal Revenue Service Center, at Ogden, Utah, a false and fraudulent joint U.S. Individual Income Tax
26 Return, form 1040, on behalf of herself and her spouse, wherein she stated that their joint taxable income for

1 the calendar year 1998, was the sum of \$32,384, whereas, as she then and there well knew and believed,
2 their joint taxable income for the said calendar year was the sum of \$58,325, upon which said joint taxable
3 income there was owing to the United States of America an additional income tax of \$5,970, all in violation
4 of Title 26, United States Code, Section 7201.

5 **COUNT THIRTY-ONE**
6 Attempt to Evade or Defeat Tax

7 During the calendar year 1998, in the State and Federal District of Nevada,

8 **ALEXANDER C. LOGLIA,**

9 the defendant herein a resident of Las Vegas, Nevada, had and received taxable wages in the sum of
10 \$38,896; that upon said taxable income of \$31,946, there was owing to the United States of America an
11 income tax of \$5,644; that well knowing and believing the foregoing facts, **ALEXANDER C. LOGLIA,**
12 on or about April 15, 1999, in the District of Nevada, did willfully attempt to evade and defeat the said
13 income tax due and owing by him to the United States of America for said calendar year by failing to make
14 an income tax return on or before April 15, 1999, as required by law to any proper officer of the Internal
15 Revenue Service, by failing to pay to the Internal Revenue Service said income tax, and by concealing and
16 attempting to conceal from all proper officers of the United States of America his true and correct income
17 and by conducting employment payroll transactions in gold, silver and/or cash, all in violation of Title 26,
18 United States Code, Section 7201.

19 **COUNT THIRTY-TWO**
20 Attempt to Evade or Defeat Tax

21 During the calendar year 2001, in the State and Federal District of Nevada,

22 **JOSE L. G. MATEOS,**
23 aka, Jose L. Gonzalez,
aka Chilango Gonzalez, and,
aka Luis Gonzalez,

24 the defendant herein, a resident of Las Vegas, Nevada, had and received taxable wages in the sum of
25 \$120,874; that upon said taxable income of \$113,424, there was owing to the United States of America an
26 income tax of \$28,947; that well knowing and believing the foregoing facts, **JOSE L. G. MATEOS,** on or

1 about April 15, 2002, in the District of Nevada, did willfully attempt to evade and defeat the said income tax
2 due and owing by his to the United States of America for said calendar year by failing to make an income
3 tax return on or before April 15, 2002, as required by law to any proper officer of the Internal Revenue
4 Service, by failing to pay to the Internal Revenue Service said income tax, and by concealing and attempting
5 to conceal from all proper officers of the United States of America his true and correct income and by
6 conducting employment payroll transactions in gold, silver and/or cash, all in violation of Title 26, United
7 States Code, Section 7201.

8 **COUNT THIRTY-THREE**
9 **Attempt to Evade or Defeat Tax**

10 On or about April 15, 1999, in the State and Federal District of Nevada,

11 **MISTY D. MORGAN,**

12 the defendant herein, a resident of Las Vegas, Nevada, did willfully attempt to evade and defeat a large part
13 of the income tax due and owing by her to the United States of America for the calendar year 1998, by filing
14 and causing to be filed with the Director, Internal Revenue Service Center, at Ogden, Utah, a false and
15 fraudulent U.S. Individual Income Tax Return, form 1040EZ, wherein she stated that her taxable income for
16 the calendar year 1998, was the sum of \$3,802, whereas, as she then and there well knew and believed, her
17 taxable income for the said calendar year was the sum of \$19,938, upon which said taxable income there was
18 owing to the United States of America an income tax of \$2,415, all in violation of Title 26, United States
19 Code, Section 7201.

20 **COUNT THIRTY-FOUR**
21 **Attempt to Evade or Defeat Tax**

22 During the calendar year 2000, in the State and Federal District of Nevada,

23 **RICHARD J. POSER, SR.,**

24 the defendant herein, a resident of Las Vegas, Nevada, had and received taxable wages in the sum of
25 \$32,000; that upon said taxable income of \$24,800, there was owing to the United States of America an
26 income tax of \$3,724; that well knowing and believing the foregoing facts, **RICHARD J. POSER, SR.,**

1 on or about April 15, 2001, in the District of Nevada, did willfully attempt to evade and defeat the said
2 income tax due and owing by his to the United States of America for said calendar year by failing to make
3 an income tax return on or before April 15, 2001, as required by law to any proper officer of the Internal
4 Revenue Service, by failing to pay to the Internal Revenue Service said income tax, and by concealing and
5 attempting to conceal from all proper officers of the United States of America his true and correct income
6 and by conducting employment payroll transactions in gold, silver and/or cash, all in violation of Title 26,
7 United States Code, Section 7201.

8 **COUNT THIRTY-FIVE**
9 Attempt to Evade or Defeat Tax

10 On or about April 15, 1999, in the State and Federal District of Nevada,

11 **HEIDI J. RASMUSSEN,**

12 the defendant herein, a resident of Las Vegas, Nevada, who during the calendar year 1998 was married, did
13 willfully attempt to evade and defeat a large part of the income tax due and owing by her and her spouse to
14 the United States of America for the calendar year 1998, by filing and causing to be filed with the Director,
15 Internal Revenue Service Center, at Ogden, Utah, a false and fraudulent joint U.S. Individual Income Tax
16 Return, form 1040, on behalf of herself and her spouse, wherein she stated that their joint taxable income for
17 the calendar year 1998, was the sum of \$21,020, whereas, as she then and there well knew and believed,
18 their joint taxable income for the said calendar year was the sum of \$45,714, upon which said joint taxable
19 income there was owing to the United States of America an income tax of \$4,144, all in violation of Title 26,
20 United States Code, Section 7201.

21 **COUNT THIRTY-SIX**
22 Attempt to Evade or Defeat Tax

23 On or about April 15, 1999, in the State and Federal District of Nevada,

24 **GEORGE RODRIGUEZ,**

25 the defendant herein, a resident of Las Vegas, Nevada, who during the calendar year 1998 was married, did
26 willfully attempt to evade and defeat a large part of the income tax due and owing by him and his spouse to

1 the United States of America for the calendar year 1998, by filing and causing to be filed with the Director,
2 Internal Revenue Service Center, at Ogden, Utah, a false and fraudulent joint U.S. Individual Income Tax
3 Return, form 1040, on behalf of himself and his spouse, wherein he stated that their joint taxable income for
4 the calendar year 1998, was the sum of \$1,895, whereas, as he then and there well knew and believed, their
5 joint taxable income for the said calendar year was the sum of \$20,014, upon which said joint taxable income
6 there was owing to the United States of America an income tax of \$2,721, all in violation of Title 26, United
7 States Code, Section 7201.

8 **COUNT THIRTY-SEVEN**
9 **Attempt to Evade or Defeat Tax**

10 On or about April 15, 1999, in the State and Federal District of Nevada.

11 **DEBRA A. ROSENBAUM and**
12 **STEVEN T. ROSENBAUM,**

13 the defendants herein, residents of Las Vegas, Nevada, who during the calendar year 1998 were married,
14 did willfully attempt to evade and defeat a large part of the income tax due and owing by them to the United
15 States of America for the calendar year 1998, by filing and causing to be filed with the Director, Internal
16 Revenue Service Center, at Ogden, Utah, a false and fraudulent joint U.S. Individual Income Tax Return,
17 form 1040, on behalf of themselves, wherein they stated that their joint taxable income for the calendar year
18 1998, was the sum of \$60,254, whereas, as they then and there well knew and believed, their joint taxable
19 income for the said calendar year was the sum of \$87,110, upon which said joint taxable income there was
20 owing to the United States of America an income tax of \$7,518, all in violation of Title 26, United States
21 Code, Section 7201.

22 **COUNT THIRTY-EIGHT**
23 **Attempt to Evade or Defeat Tax**

24 During the calendar year 1999, in the State and Federal District of Nevada.

25 **RON RUGGLES,**

26 the defendant herein, a resident of Las Vegas, Nevada, had and received taxable wages in the sum of

1 \$18,520; that upon said taxable income of \$12,170, there was owing to the United States of America an
2 income tax of \$1,826; that well knowing and believing the foregoing facts, **RON RUGGLES**, on or about
3 April 15, 2000, in the District of Nevada, did willfully attempt to evade and defeat the said income tax due
4 and owing by him to the United States of America for said calendar year by failing to make an income tax
5 return on or before April 15, 2000, as required by law to any proper officer of the Internal Revenue Service,
6 by failing to pay to the Internal Revenue Service said income tax, and by concealing and attempting to conceal
7 from all proper officers of the United States of America his true and correct income and by conducting
8 employment payroll transactions in gold, silver and/or cash, all in violation of Title 26, United States Code,
9 Section 7201.

10 **COUNT THIRTY-NINE**
11 **Attempt to Evade or Defeat Tax**

12 On or about April 15, 1999, in the State and Federal District of Nevada,

13 **THERESA H. WHITNEY and**
14 **WILLIAM A. WHITNEY,**

15 the defendants herein, residents of Las Vegas, Nevada, who during the calendar year 1998 were married,
16 did willfully attempt to evade and defeat a large part of the income tax due and owing by them to the United
17 States of America for the calendar year 1998, by filing and causing to be filed with the Director, Internal
18 Revenue Service Center, at Ogden, Utah, a false and fraudulent joint U.S. Individual Income Tax Return,
19 form 1040, on behalf of themselves, wherein they stated that their joint taxable income for the calendar year
20 1998, was the sum of -\$13,350, whereas, as they then and there well knew and believed, their joint taxable
21 income for the said calendar year was the sum of \$44,708, upon which said joint taxable income there was
22 owing to the United States of America an income tax of \$7,018, all in violation of Title 26, United States
23 Code, Section 7201.

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COUNT FORTY
Conspiracy to Attempt to Evade or Defeat Tax

From at least on or about January 1, 1998, through and including April 5, 2005, within the State and Federal District of Nevada, and elsewhere, the defendants,

**ROBERT DAVID KAHRE,
DANNIELLE R. ALIRES,
JOEL R. AXBERG,
MYRA L. BUONOMO,
ENRIQUE CEBALLOS,
ROBERT J. FURMAN,
JAMES M. GULLEY,
DONALD J. HAMILTON,
DONALD W. HAMILTON,
JOHN W. KAHRE,
LORI A. KAHRE,
ALEXANDER C. LOGLIA,
JOSE L. G. MATEOS,
MISTY D. MORGAN,
RICHARD J. POSER, SR.,
HEIDI J. RASMUSSEN,
GEORGE RODRIGUEZ,
DEBRA A. ROSENBAUM,
STEVEN T. ROSENBAUM,
RON RUGGLES,
THERESA H. WHITNEY, and,
WILLIAM A. WHITNEY,**

together and with each other and with other persons both known and unknown to the Grand Jury, did unlawfully, willfully, and knowingly combine, conspire, confederate and agree among themselves and each other to commit certain offenses against the United States as follows: to willfully attempt in any manner to evade or defeat any tax imposed by this title [Title 26 Internal Revenue Code] or the payment thereof, in violation of 26 U.S.C. § 7201.

MANNER AND MEANS OF THE CONSPIRACY

It was part of the conspiracy that defendant, **ROBERT DAVID KAHRE** during calendar years 1998 through 2003, paid wages to his employees and of employees of other businesses with which he contracted to handle their payroll in gold, silver and/or cash which was taxable income to said employee

1 when received; that upon said taxable income there was owing to the United States of America an income
2 tax; and that the defendants.

3 **ROBERT DAVID KAHRE,**
4 **DANNIELLE R. ALIRES,**
5 **JOEL R. AXBERG,**
6 **MYRA L. BUONOMO,**
7 **ENRIQUE CEBALLOS,**
8 **ROBERT J. FURMAN,**
9 **JAMES M. GULLEY,**
10 **DONALD J. HAMILTON,**
11 **DONALD W. HAMILTON,**
12 **JOHN W. KAHRE,**
13 **LORI A. KAHRE,**
14 **ALEXANDER C. LOGLIA,**
15 **JOSE L. G. MATEOS,**
16 **MISTY D. MORGAN,**
17 **RICHARD J. POSER, SR.,**
18 **HEIDI J. RASMUSSEN,**
19 **GEORGE RODRIGUEZ,**
20 **DEBRA A. ROSENBAUM,**
21 **STEVEN T. ROSENBAUM,**
22 **RON RUGGLES,**
23 **THERESA H. WHITNEY, and,**
24 **WILLIAM A. WHITNEY,**

25 did willfully attempt to defeat the said income tax due and owing by them to the United States of America
26 for said calendar years by concealing and attempting to conceal from all proper officers of the United States
of America their true and correct income in calendar years 1998 - 2003.

18 OVERT ACTS

19 In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts,
20 among others, were committed in the District of Nevada and elsewhere:

21 (a) Defendant, **ROBERT DAVID KAHRE** maintained office warehouse space located
22 at 6270 Kimberly Avenue, Las Vegas, Nevada. One room at this location was designated as the payroll
23 office. Employees would receive their week's wages in gold and silver coins at one payroll office window
24 which they would then exchange for an envelope with cash (federal reserve notes) at another adjacent payroll
25 window. During the course of this conspiracy, defendant, **ROBERT DAVID KAHRE** paid approximately
26 \$19,934,416 in cash wages to his employees in his various companies and paid approximately

1 \$94,810,817 in cash wages to the employees of other contractors with whom he had agreed to provide
2 payroll services.

3 (b) Defendant, **DANNIELLE R. ALIRES**, received approximately \$41,800 in cash
4 wages from defendant, **ROBERT DAVID KAHRE** between 2001 - 2003.

5 (c) Defendant, **JOEL R. AXBERG**, received approximately \$190,099 in cash wages
6 from defendant, **ROBERT DAVID KAHRE** between 1998 - 2003.

7 (d) Defendant, **MYRA L. BUONOMO**, received approximately \$106,810 in cash
8 wages from defendant, **ROBERT DAVID KAHRE** between 1998 - 2003.

9 (e) Defendant, **ENRIQUE CEBALLOS**, received approximately \$3,130,024 in cash
10 wages from defendant, **ROBERT DAVID KAHRE** between 1998 - 2003.

11 (f) Defendant, **ROBERT J. FURMAN**, received approximately \$157,488 in cash
12 wages from defendant, **ROBERT DAVID KAHRE** between 2000 - 2003.

13 (g) Defendant, **JAMES M. GULLEY**, received approximately \$119,540 in cash
14 wages from defendant, **ROBERT DAVID KAHRE** between 1999 - 2003.

15 (h) Defendant, **DONALD J. HAMILTON**, received approximately \$146,731 in cash
16 wages from defendant, **ROBERT DAVID KAHRE** between 1998 - 2003.

17 (i) Defendant, **DONALD W. HAMILTON**, received approximately \$123,059 in
18 cash wages from defendant, **ROBERT DAVID KAHRE** between 1999 - 2003.

19 (j) Defendant, **JOHN W. KAHRE**, received approximately \$137,972 in cash wages
20 from defendant, **ROBERT DAVID KAHRE** between 1998 - 2003.

21 (k) Defendant, **LORIA. KAHRE**, received approximately \$160,940 in cash wages
22 from defendant, **ROBERT DAVID KAHRE** between 1998 - 2003.

23 (l) Defendant, **ALEXANDER C. LOGLIA**, received approximately \$318,692 in cash
24 wages from defendant, **ROBERT DAVID KAHRE** between 1998 - 2003.

25 (m) Defendant, **JOSE L. G. MATEOS**, received approximately \$628,674 in cash
26 wages from defendant, **ROBERT DAVID KAHRE** between 2000 - 2003.

1 (n) Defendant, **MISTY D. MORGAN**, received approximately \$25,128 in cash wages
2 from defendant, **ROBERT DAVID KAHRE** between 1998 - 1999.

3 (o) Defendant, **RICHARD J. POSER, SR.**, received approximately \$161,282 in
4 cash wages from defendant, **ROBERT DAVID KAHRE** between 2000 - 2003.

5 (p) Defendant, **HEIDI J. RASMUSSEN**, received approximately \$170,964 in cash
6 wages from defendant, **ROBERT DAVID KAHRE** between 1998 - 2003.

7 (q) Defendant, **GEORGE RODRIGUEZ**, received approximately \$207,417 in cash
8 wages from defendant, **ROBERT DAVID KAHRE** between 1998 - 2003.

9 (r) Defendant, **DEBRA A. ROSENBAUM and STEVEN T. ROSENBAUM**,
10 received approximately \$184,554 in cash wages from defendant, **ROBERT DAVID KAHRE** between
11 1998 - 2003.

12 (s) Defendant, **RON RUGGLES**, received approximately \$227,017 in cash wages
13 from defendant, **ROBERT DAVID KAHRE** between 1999 - 2003.

14 (t) Defendant, **THERESA H. WHITNEY**, received approximately \$87,955 in cash
15 wages from defendant, **ROBERT DAVID KAHRE** between 1998 - 2003.

16 (u) Defendant, **WILLIAM A. WHITNEY**, received approximately \$295,736 in cash
17 wages from defendant, **ROBERT DAVID KAHRE** between 1998 - 2003.

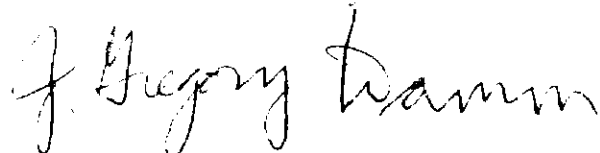
18 All in violation of Title 18, United States Code, Section 371 and Title 26, United States Code,
19 Section 7201.

20 **DATED:** this 5th day of April 2005.

21 **A TRUE BILL:**

22
23 **FOREPERSON OF THE GRAND JURY**

24 **DANIEL G. BOGDEN**
25 United States Attorney

26 

27 **J. GREGORY DAMM**
28 Assistant United States Attorney
29 Organized Crime Strike Force